

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO**

LOUIE SEDILLO,

Plaintiff,

vs.

No. CIV-04-380 JH/WDS

ROBERT RAMIREZ et. al.,


Defendants

**ORDER ADOPTING REPORT AND RECOMMENDATIONS AND
DENYING DEFENDANT'S MOTION TO DISMISS**

THIS MATTER came before the Court on Defendant Laura Chavez's Motion to Dismiss [Document No. 95] as well as Defendant's *Martinez* Report [Document No. 76]. In response to Defendant's motion, Plaintiff filed an opposition brief [Document No. 98]. Plaintiff Louie Sedillo is proceeding *pro se* and has brought this civil right action under 42 U.S.C. §1983. The undersigned referred this matter to Magistrate Judge Schneider for a recommended disposition of the case, and Magistrate Judge Schneider filed his Report and Recommendations regarding the instant motion on October 1, 2009. [Document No. 102] Having reviewed the record de novo and considered the United States Magistrate Judge's Proposed Findings and Recommended Disposition, to which no objections were filed, and being otherwise fully advised, I find that the Motion to Dismiss should be denied.

WHEREFORE, IT IS ORDERED that the findings and recommendations of the United States Magistrate Judge are adopted.

IT IS FURTHER ORDERED that Defendant Laura Chavez's Motion to Dismiss
(Docket No. 95) is **DENIED**.



JUDITH HERRERA
UNITED STATES DISTRICT JUDGE